

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCIS MITCHELL,

Defendant.

Criminal Action No. 05-16-GMS

**MOTION AND ORDER TO DISMISS**

NOW COMES the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Edmond Falgowski, Assistant United States Attorney for the District of Delaware, and hereby moves this Honorable Court to dismiss the Indictment. On December 18, 2006, pursuant to a plea agreement, the defendant entered a guilty plea in the United States District Court for the Middle District of Florida to a two count Information charging the filing of false tax returns, which Information was transferred to that district from the District Court for the District of Delaware by means of a Rule 20 transfer.

COLM F. CONNOLLY  
United States Attorney

By

Edmond Falgowski  
Assistant United States Attorney

Dated:

1-25-07

IT IS SO ORDERED this 25<sup>th</sup> day of Jan., 2007.

FILED

JAN 25 2007

U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

HONORABLE GREGORY M. SLEET  
United States District Court